

UNITED STATES OF AMERICA

V.

RANDY SCOTT RADER,

Defendant.

Case No. 1:04CR00071

OPINION

By: James P. Jones
United States District Judge

Randy Scott Rader, Pro Se Defendant.

On June 16, 2006, defendant Randy Scott Rader was sentenced by this court to 240 months' imprisonment, and on February 2, 2015, his Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 was denied. *United States v. Rader*, No. 1:04CR00071, 2015 WL 418726, at *1 (W.D. Va. Feb. 2, 2015). More than a year later, Rader has filed another Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 based on a change in case law and events related to the criminal proceedings. Because Rader has not shown that the United States Court of Appeals for the Fourth Circuit has authorized him to file this latest motion, it must be dismissed without prejudice as successive pursuant to 28 U.S.C. § 2255(h). Rader's related motion to appoint counsel will be denied as moot because counsel was already appointed pursuant to Standing Order 2015-5.

DATED: August 24, 2016

/s/ James P. Jones
United States District Judge